

REMARKS

Responsive to the Office Communication mailed October 13, 2005, Applicants respectfully provide the following remarks.

Claims 43-68 are presently pending. Claims 43-58 and 61-68 are withdrawn from consideration as allegedly drawn to non-elected subject matter. Claims 59-60 are under examination. According to the Office Communication dated January 12, 2005, claims 59-60 are allowable, although *ex parte* prosecution was suspended pending the analysis of a potential interference.

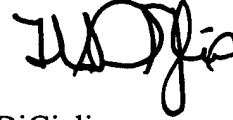
On October 13, 2005, the Examiner issued a further Office Communication, in which the Examiner has identified allowable claim 59 to be the count for the purpose of an interference with claim 1 of U.S. Patent 5,928,939 to Eriksson et al. The Examiner also indicates that claim 60 is considered to be unpatentable over the count. Pursuant to 37 C.F.R. §41.202(c), the Examiner has required Applicants to comply with requirements set forth in 37 C.F.R. §§41.202(a)(2)-(a)(6).

Applicants respectfully submit that the assignee of record of the present application, Zenyth Operations Pty Ltd (formerly Amrad Operations Pty Ltd), has presently assigned all right, title and interest to the Ludwig Institute for Cancer Research and Licentia Ltd. The assignment and the Certificate of Registration of a Change of Name, together with the recordation cover sheets, are being submitted herewith to the USPTO for recordation. Copies of these submissions are enclosed for the Examiner's reference.

Applicants respectfully submit that U.S. Patent 5,928,939 to Eriksson et al. has also been assigned to Ludwig Institute for Cancer Research and Licentia Ltd. In light of the common ownership of the present application and the '939 patent, Applicants respectfully

submit that the basis for the proposed interference between the present application and the '939 patent is hereby terminated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank S. DiGiglio', written in a cursive style.

Frank S. DiGiglio
Registration No. 31,346

Scully, Scott, Murphy & Presser, P. C.
400 Garden City Plaza-STE 300
Garden City, New York 11530
(516) 742-4343
XZ:ab

Enc.